

MINUTES

PLAN COMMISSION OF THE TOWN OF POLK

POLK TOWN HALL 3680 Hwy 60, Slinger, WI. 53086

Washington County, Wisconsin

7:30 PM Tuesday, January 05, 2016 Immediately Following Public Hearing

Approved

I. Meeting was called to Order at 7:48PM. The Pledge of Allegiance was recited.

- A. **Official Meeting Notification** was made to West Bend Daily News, Milwaukee Journal Sentinel, WBKV, and WTKM; and posted on the Cedar Lake Hills, Roskopf RV, and Town Hall bulletin boards.
- B. **Roll Call.** Present: Chairman Albert Schulteis, Supervisor Theodore Merten. Members Karen Reiter, Mark Peters, Dennis Sang, William Whitney. Zoning Secretary, Tracy Groth. Robert Roecker, Guest Supervisor. Excused absence: Jeffrey Fehring.
- C. **Moment of Silent Prayer.** Chairman Schulteis called for a moment of silent prayer.
- D. **Approval of the Plan Commission Meeting Minutes**, December 01, 2016. Karen Reiter moved to approve Draft Two of the Minutes as printed. William Whitney seconded the motion. All voted in favor. The motion carried.

II. Unfinished Business-

A. **Concept Certified Survey Map to create two (2) parcels from a 10.01 gross acre parcel in accordance with Town of Polk Title XI Land Division Ordinance, Section 3.06 Lot 3. Property described as Lot 3 of CSM 4076. Part of the Fractional NE ¼, of the Fractional NW ¼ of Section 2, Town of Polk, Washington County, Wisconsin. Tax Key # T9-0028-00C. Zoned A-1 General Agricultural District. Dale and Dawn Klumb; and Dennis and Diane Hambly, Property Owners.** Chairman Schulteis invited the applicant to present additional information. The applicant, Mr. Klumb indicated that he would like the cul de sac to be pushed to the north end of Lot 4 rather than have the private road extend to the south end of Lot 4. Chairman Schulteis invited the Plan Commission to ask questions of the applicant. Building Inspector, John Frey commented that the CSM should leave the road corridor open to the south end of Lot 4 to facilitate possible future development of the parcels adjacent to the south. Should there be development in the future, developers/property owners could access the private road with the permission of the applicant and with a private road agreement between the applicant and those property owners with road access. Those entities participating in the private road agreement would share in the cost.

Karen Reiter commented that a private road agreement including new lots would be required and that the road should be identified as an Outlot on the CSM document. And that the road must be put in before a building permit can be issued for the new lots. Zoning Secretary Groth commented that even if Lot 4 were to build now, the private road would need to be installed. Currently, only a driveway is installed to access the current Lot 1 and Lot 2.

Karen Reiter moved to recommend to the Town Board the approval of the Conceptual Certified Survey Map to create (2) parcels in accordance with the Town of Polk Land Division for Dale and Dawn Klumb; and Dennis and Diane Hambly with the conditions that they leave a 66' road corridor to the south end of Lot 4. The cul de sac may be placed at the north end of lot 4; and that a private road agreement must be recorded; the road must be built to Town specifications; and that these conditions should be put in place before the CSM is recorded. The final CSM should be submitted in accordance with Section 6 of the Land Division Ordinance. There was discussion as to when the CSM should be recorded relative to when the road is installed. Frey clarified that the lots can be sold once the CSM is recorded. Add the stipulation that no building permits would be issued before the road is installed. Reiter amended the motion to include that the private road must be installed before a building permit could be issued for Lots 3 or 4. Mark Peters seconded the motion. All voted in favor and the motion carried.

III. New Business

- A. **Certified Survey Map to create one five (5) acre lot from a 40 acre parcel in accordance with Title XI Land Division Ordinance, Section 3.06 Minor Land Division. Property located NE1/4 of SW1/4 of Section 11, Town of Polk, Washington County, Wisconsin. Tax Key#T9-0464. Zoned A-1 General Agricultural. Keith and Nicole Novotny, Applicants. Ralph and Linda Novotny, Property Owners.**

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The applicant stated that there was only a minor change to the final CSM versus the conceptual CSM. The lot is being shifted a little further north to accommodate a larger setback to the farmstead to the south of the lot. Dennis Sang moved to approve the Certified Survey Map as presented. The motion was seconded by Mark Peters. All voted in favor and the motion carried.

- B. Business Use Approval for John's A-1 to add used car sales and repairs to an existing auto body repair business. Property located at 3160 Hwy 60, Jackson, Washington County, Wisconsin. Section 14. Tax Key # T9-0516-00D. Zoned M-1 Industrial District. John G. Mords Business Owner (Used Sales). John Wandrey, Business Owner Property Owner.** Schulteis invited the applicant to present to the Commission. The applicant commented that they would like to add used car sales and some mechanical repairs to the existing body shop business. There was discussion to how many vehicles would be allowed on the lot for sales. The Commission concluded that based on the application and lot size, that no more than 25 cars should be on the lot for sale. William Whitney moved to recommend to the Town Board, business use approval for John's Auto Body for auto sales with the condition that no more than 25 vehicles would be on the lot for sale. Karen Reiter seconded the motion. All voted in favor and the motion carried.
- C. Petition 2015.06 to Amend the Town of Polk 2035 Comprehensive Plan Map by changing the land use designation of a parcel of land as described in Exhibit A from A-1 Agricultural Use to Mixed Use. 3747 Cedar Creek Road, Town of Polk, Washington County, Wisconsin, Section 20, Tax Key #T9-567. Zoned A-1 General Agricultural District. GCAM-CC, LLC, Kevin and Amy Zimmer Property Owners.** This item was subject to a Public Hearing immediately preceding the Plan Commission Meeting. Chairman Schulteis invited the applicant to present any additional information. The applicant, Kevin Zimmer, had no additional comment. Dennis Sang moved to recommend to the Town Board the approval of the petition to amend the 2035 Comprehensive Plan Map as presented. Motion seconded by William Whitney. All voted in favor and the motion carried.
- D. Petition 2015.07 to Amend the Town of Polk Title X Zoning Plan Map by changing the land use designation of a parcel of land as described in Exhibit A from A-1 Agricultural District to B-1 Business District for the purpose of operating an existing restaurant/tavern. 3747 Cedar Creek Road, Town of Polk, Washington County, Wisconsin, Section 20, Tax Key #T9-0567. Zoned A-1 General Agricultural District. GCAM-CC, LLC, Kevin and Amy Zimmer Property Owners.** This item was subject to a Public Hearing immediately preceding the Plan Commission Meeting. Chairman Schulteis invited the applicant to present any additional information. The applicant, Kevin Zimmer, had no additional comment. Dennis Sang moved to recommend to the Town Board the approval of the petition to amend the Town of Polk Zoning Map as presented. Motion seconded by Mark Peters. All voted in favor and the motion carried.
- E. Site Plan Review for GCAM-CC, LLC. for the addition of a roof over new primary entrance to restaurant/tavern in accordance with Town Zoning Ordinance Title X Section 3.07 Business District. 3747 Cedar Creek Road, Town of Polk, Washington County, Wisconsin, Section 20, Tax Key #T9-0567. Zoned A-1 General Agricultural District (Petition to Rezone to B-1 Business pending). GCAM-CC, LLC, Kevin and Amy Zimmer Property Owners.** Chairman Schulteis invited the applicant to present to the Commission. The applicant commented that the roof extension is required as a safety measure to prevent snow build up in the entrance area; and to provide protection over the western portion of the ADA ramp. William Whitney moved to recommend to the Town Board the approval of the construction of a roof covering the primary entrance and ADA ramp as presented. Dennis Sang seconded the motion. Secretary Groth recommended that the motion should state that the approval is contingent upon the Town approving the re-zoning of the parcel to B-1 Business District. William Whitney amended the motion accordingly. All voted in favor and the motion carried.

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- F. Certified Survey Map to create one 10 acre lot and one 13.906 acre lot from two existing 40 acre parcels in accordance with Title XI Land Division Ordinance Section 3.06 Minor Land Division. Property located in the SW ¼ of the NE ¼ and part of the SE ¼ of the NE ¼ of Section 26, T10, R19E. Town of Polk, Washington County, Wisconsin. Tax Keys T9-0897 and T9-0798. Zoned A-1 General Agricultural District. Nate and Michelle Filzen, Applicants. Doris R Schmidt Survivor's Trust, Property Owner.** Chairman Schulteis invited the applicant to present to the Commission. The applicants had no comments additional to their application. Karen Reiter asked where the driveway would be placed. Chairman Schulteis commented that the driveway would access via the 300' frontage along Mayfield Road and not accessing the driveway to the adjoining homestead because the driveway meanders through the buildings. Karen Reiter moved to recommend to the Town Board the approval of the Certified Survey Map as presented with the conditions that the driveway access is from the lot frontage along Mayfield Road and that the CSM is approved by the Village of Jackson. Dennis sang seconded the motion. All voted in favor and the motion carried.
- G. Certified Survey Map to create one 5 acre lot from an existing 11 acre parcel in accordance with Title XI Land Division Ordinance Section 3.6 Minor Land Division. Property located in part of the SW ¼ of the NE ¼ of Section 3, T10, R19E. Town of Polk, Washington County, Wisconsin. Zoned A-1 General Agricultural District. Tax Key # T9-0049-00X. Randall R Fehring and Cathy F Strobach-Fehring, Applicants. Cynthia Roecker, ET AL Property Owners.** Randy Fehring commented that the parcel is owned by him and his siblings. A parcel is being divided off that is owned by him and he will build on the parcel. The remaining acreage of the parcel will remain for family use (ie: family park) and will not be built upon. Robert Roecker commented that the Secretary recommended that the remainder of the parcel be designated as a not buildable outlet and he agreed with this recommendation. Dennis Sang asked for clarification as to which lot would be the outlot. There was discussion as to the merits of designating the remainder of the parcel as an outlot. The remainder would be issued a parcel number and therefore be a separate lot, however the lot does not meet the criteria for a buildable lot and therefore should be designated as not buildable. Karen Reiter moved to recommend to the Town Board the Certified Survey Map for Randal Fehring and Cathy Strobach Fehring provided that the CSM indicates that the remaining unplatted part of the parcel be designated as a not buildable outlot. Second by Mark Peters. All voted in favor and the motion carried.
- H. Conceptual Land Division to create five (5) lots via two Certified Survey Maps from three existing agricultural parcels in accordance with Title XI Land Division Ordinance. Properties located in Section 10, T10, R19E, Town of Polk, Washington County Wisconsin. Tax Keys# T0-0423, T9-0429, T9-0430-00H. Zoned A-1 General Agricultural District. Steven Kearns, property owner.** Chairman Schulteis noted that the applicant's surveyor, John Downing, was in attendance to represent the applicant. Schulteis commented that all parcels on the concept plan had access to current roads, no private roads would be involved; the parcels are all 5 acre lots. Karen Reiter commented that she had concern about the primary environmental corridor. Schulteis commented that the applicant is aware of the corridor and the upland conservancy. Reiter referred to various sections of the 2035 Comp Plan relative to primary environmental corridor and upland conservancy. She commented that they (applicant) can't build on the steep slopes due to erosion control; the lots cannot be further divided; and the lots may not have more than one dwelling per five acre parcel. Only ten percent of the parcel may be disturbed. John commented that there are building envelopes on the lots suitable for building within the constraints of the conservancy regulations. He will note those envelopes on the on the CSM document. He also stated that the intent is to leave the land in as natural a state as possible and stay well within the 10 percent disturbed guidelines. Mark Peters moved to recommend to the Town Board the approval of the conceptual land division as presented. Motion seconded by William Whitney. All voted in favor and the motion carried.

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I. Zoning Violations - None

IV. Other Business

- A. Correspondence - None
- B. Informational Items. Schulteis noted the Property Assessment Committee meeting on January 28, 2016 at the courthouse.
- C. Zoning Board of Appeals Report. None. The Zoning Board of Appeals did not convene in December.

IV. Adjournment Karen Reiter moved to adjourn. Dennis Sang seconded the motion. All voted in favor and the motion carried. The meeting adjourned at 8:41PM.

Respectfully submitted,

Tracy Groth
Zoning Secretary